



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

vs.

Javier Toshio Tokunaga-FUJIGAKI

Magistrate's Case No.

COMPLAINT FOR VIOLATION OF
21 U.S.C. 952 and 960

**Unlawful Importation of a Controlled
Substance**

The undersigned complainant being duly sworn states:

14 MJ0570

COUNT ONE

That on or about February 11, 2014, within the Southern District of California, defendant Javier Toshio Tokunaga-FUJIGAKI did knowingly and intentionally import approximately 1.90 kilograms (4.18 pounds) of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[Signature]

Signature of Complainant
U.S. Homeland Security Investigations

Sworn to before me and subscribed in my presence, this 12th day of Feb., 2014.

[Signature]
United States Magistrate Judge

1 United States of America

2 vs.

3 Javier Toshiro Tokunaga-FUJIGAKI

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5 PROBABLE CAUSE STATEMENT

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7 On February 11, 2014, Javier Toshiro Tokunaga-FUJIGAKI attempted to
8 enter the United States at the Otay Mesa Port of Entry, San Diego, California.
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10 FUJIGAKI was the driver and sole occupant of a Toyota Sequoia bearing Baja,
11 Mexico (BA/MX) license plate AKK9833 (hereafter referred to as "the vehicle").

12 A Customs and Border Protection Canine Enforcement Officer (CBP/CEO)
13 was screening vehicles in the secondary lot of the Otay Mesa Port of Entry. The
14 canine alerted to the undercarriage of "the vehicle" occupied by FUJIGAKI. The
15 CBP/CEO asked FUJIGAKI if he had any mechanical work done to "the vehicle"
16 to which he replied in the affirmative stating he had just had the car painted. The
17 CBP/CEO notified a CBPO assigned to the vehicle secondary of the canine alert.
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19 FUJIGAKI was removed from "the vehicle" so it could be further inspected.
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21 Additional assistance was requested and an AT-CET CBPO responded. Upon
22 inspection, officers noticed the battery in the engine compartment looked clean in
23 comparison to the rest of the engine. One of the battery caps was clasped shut. The
24 cap was removed and packages were revealed inside the battery. The vehicle
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1 secondary lot supervisor was then notified and "the vehicle" was turned over for
2 further processing.

3 In the vehicle secondary lot at the Otay Mesa Port of Entry, the CBPO
4 assigned to do a further inspection of "the vehicle" then disconnected the battery,
5 opened the top plates and found packages within. A package was probed and
6 contained a white crystalline substance which field tested positive for
7 characteristics of methamphetamine.
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10 Subsequent inspection of the vehicle revealed a total of two (2) packages
11 weighing 1.90 kilograms (4.18 pounds) of methamphetamine.
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13 FUJIGAKI was arrested and charged with violation(s) of Title 21 USC 952,
14 960, Unlawful Importation of a Controlled Substance, and was later booked into
15 the into Metropolitan Correction Center, San Diego, California.
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